

STATE OF MICHIGAN  
IN THE SUPREME COURT

COMPLAINT AGAINST:

HON. SUSAN R. CHRZANOWSKI  
Judge, 37th District Court  
Warren, Michigan 48093

---

FORMAL COMPLAINT NO. 65  
DOCKET NO.

**DECISION AND RECOMMENDATION  
FOR ORDER OF DISCIPLINE**

At a session of the Michigan Judicial  
Tenure Commission held on the \_\_\_\_<sup>th</sup>  
day of April, 2000, at which the  
following Commissioners were

PRESENT: Hon. Marianne O. Battani  
Hon. William B. Murphy  
Henry Baskin, Esq.  
Carole L. Chiamp, Esq.  
Hon. Theresa Doss  
Peter B. Fletcher  
Hon. Barry M. Grant  
Hon. M. Richard Knoblock  
James M. "Mick" Middaugh

Pursuant to MCR 9.221(C), with Respondent's consent, which appears below, the Judicial Tenure Commission of the State of Michigan ("Commission"), files this Decision and Recommendation for Order of Discipline.

The Commission makes the following findings of fact and conclusions of law:

1) Respondent is now, and was at all times mentioned, a Judge of the 37<sup>th</sup> District Court in the City of Warren, County of Macomb, State of Michigan.

**ASSIGNMENTS TO AND APPEARANCES OF**  
**MICHAEL FLETCHER**

2) Attorney Michael Fletcher began the private practice of law in early 1998 at an office located in Center Line, Michigan.

3) From April, 1998 Respondent had an intimate personal relationship with attorney Michael Fletcher, and from August, 1998 until August 16, 1999, Respondent maintained an on and off romantic and sexual relationship with attorney Michael Fletcher.

4) Between February, 1998 and August, 1999, Respondent assigned Michael Fletcher to serve as defense counsel for indigent criminal defendants in approximately 77 matters at the 37<sup>th</sup> District Court. The relationship described in paragraph 3 hereinabove existed at the time certain assignments were made. During the same period of time, the other three judges at the 37<sup>th</sup> District Court collectively appointed Mr. Fletcher approximately 26 times.

5) Mr. Fletcher regularly and routinely appeared before Respondent in connection with the aforesaid matters. On none of those occasions did Respondent disclose to the prosecution that she and Fletcher were engaged in a romantic and sexual relationship. Additionally, Respondent did not offer to disqualify herself because of her relationship with Fletcher.

6) Respondent approved payment of approximately \$19,000 in legal fees to Mr. Fletcher for services in cases where she had assigned him to represent

indigent defendants. The monetary value of the assignments by the other judges to Mr. Fletcher was about \$7,000.

- 7) Respondent's conduct, as described in paragraphs 1-6, constitutes:
- a) Misconduct in office, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
  - b) Conduct clearly prejudicial to the administration of justice, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
  - c) Improper conduct, including impropriety or the appearance of impropriety, which could erode public confidence in the judiciary, contrary to the Code of Judicial Conduct, Canon 2A;
  - d) Making of appointments based on considerations other than merit, contrary to the Code of Judicial Conduct, Canon 3B(4);
  - e) Failure to raise the issue of disqualification when there was cause to believe that grounds for disqualification may exist under MCR 2.003(B), in violation of the Code of Judicial Conduct, Canon 3C; and
  - f) Conduct violative of MCR 9.104 (1), (2) and (3) in that such conduct is prejudicial to the proper administration of justice; exposes the legal profession or the courts to obloquy, contempt, censure and reproach; and is contrary to ethics and good morals.

### **PEOPLE V DONALD THOMAS RICHARDS**

8) Respondent presided over the case of People v Donald Thomas Richards, 37<sup>th</sup> District Court Case No. W224162, in which the defendant was charged with OUIL.

9) Mr. Richards was represented by Michael Fletcher, as retained counsel. Although Respondent was involved in a romantic, sexual relationship with Michael Fletcher, Respondent failed to disclose that fact and did not raise the issue of disqualification.

10) Respondent's conduct, as described in paragraphs 8-9, constitutes:

- a) Misconduct in office, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
- b) Conduct clearly prejudicial to the administration of justice, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
- c) Improper conduct, including impropriety or the appearance of impropriety, which could erode public confidence in the judiciary, contrary to the Code of Judicial Conduct, Canon 2A;
- d) Failure to raise the issue of disqualification when there was cause to believe that grounds for disqualification may exist under MCR 2.003(B), in violation of the Code of Judicial Conduct, Canon 3C; and
- e) Conduct violative of MCR 9.104 (1), (2) and (3), in that such conduct is prejudicial to the proper administration of justice; exposes the legal profession or the courts to obloquy, contempt, censure and reproach; and is contrary to ethics and good morals.

**WHEREFORE IT IS RECOMMENDED** that the Supreme Court of the State of Michigan file an opinion and judgment directing the suspension

without pay of Hon. Susan R. Chrzanowski from the performance of her duties as a judge of the 37<sup>th</sup> District Court for a period of forty-five (45) days.

**STATE OF MICHIGAN**  
**JUDICIAL TENURE COMMISSION**

---

HON. MARIANNE O. BATTANI  
CHAIRPERSON

---

HENRY BASKIN, ESQ.

---

CAROLE L. CHIAMP, ESQ.

---

HON. THERESA DOSS

---

PETER B. FLETCHER

---

HON. BARRY M. GRANT

---

HON. M. RICHARD KNOBLOCK

---

JAMES MIDDAUGH

---

HON. WILLIAM B. MURPHY